



ENVIRONMENTAL & REGULATORY SERVICES  
PECFA  
P. O. Box 8044  
Madison, Wisconsin 53708-8044  
TDD #: (608) 264-8777  
www.commerce.state.wi.us

Tommy G. Thompson, Governor  
Brenda J. Blanchard, Secretary

## Wisconsin Department of Commerce Bureau of PECFA

### Bid Document

#### SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. The site upon which bids are being solicited is:

**Bid Round Number:** 08  
**Comm Number:** 54101-9758-85  
**BRRTS Number:** 03-43-001491  
**Site Owner:** William Zachow  
**Site Name:** Bill's Oil  
**Site Address:** 3085 Sot Rd Abrams WI

**Project Manager:** Mike Netzer  
**Project Manager address:** P.O. Box 208 101 N. Ogden Rd Peshtigo WI 54157  
**Project Manager phone:** 715-582-5048  
**Project Manager e-mail address** [mailto:netzem@dnr.state.wi.us](mailto:mailto:netzem@dnr.state.wi.us)

<b>Bid Announcement Date</b>	<b>Monday 05/15/00</b>
<b>Questions or requests for information must be submitted in writing and received by:</b>	<b>Friday 05/26/00 by 16:00 CST</b>
<b>Responses to the questions will be posted (and if requested, sent in writing) by:</b>	<b>Friday 06/16/00</b>
<b>Bid End Date and Time:</b>	<b>Monday 06/26/00 by Noon CST</b>

The site investigation report and other reports upon which bids are being sought, and the successful bid, when determined, are available for inspection at:

**Department of Natural Resources, 101 N Ogden Rd Peshtigo WI**

Please contact the project manager listed above for an appointment.

Copies of the reports can be purchased for the cost of reproduction and handling at the following address:

**Bob's Copy Shop 37 University Square Madison WI 53715**

**Phone: 608-257-4536**

**Fax: 608-257-6555**

## **SECTION 2 - Site Specific Bid Specification Requirements:**

### **A) Project Manager Comments**

#### **1) General Comments:**

General Comments: Petroleum contamination was first discovered at this site on June 4, 1993. The DNR was notified that gasoline was seeping from the subsurface to a ditch on the north side of Mr. Zachow's UST system, flowing east through a culvert under SOT Road then south in another ditch for several hundred feet. On July 10, 1995 ECCI submitted a Site Investigation Report (SIR). At that time the SIR stated Bill's Oil had four UST's on site (three-8,000 gallon and one-2,000 gallon), PAL's Oil had one UST (1,000-gallon). Four smaller UST's were also located on the Pal's Oil site (300 - 500 gallon). Documentation exists for removal or abandonment of all UST's except two 100 gallon tanks on the PAL's Oil property. The Pal's Oil and Bill's Oil site's are both owned by Mr. Zachow and are considered the same project.

As of the July 10, 1995 SIR report, it was thought that the downgradient extent of contamination was defined through the installation of 10 monitoring wells (MW-1 through MW-10) and one piezometer (PZ-1). Bill's Oil sits astride a minor groundwater divide trending generally to the northeast along Wilson Road. No groundwater contamination was found in the farthest downgradient monitoring well to the west, MW-5 or to the east, MW-7. One private well at 3109 Wiedenheft Road was replaced in 1994. Two other private wells had trace amounts of petroleum contamination in them (3124 Weidenheft Road and 3111 Wilson Road).

The July 10, 1995 SIR also reported severely impacted soils and groundwater in area of the Bill's Oil UST's and extended into downgradient areas up to the west side of SOT Road. Free product was noted when drilling downgradient well PZ-1.

Groundwater levels have been known to fluctuate substantially in the site area. Generally, the water table can be found between four to eight feet below ground surface. Subsoils consist of sandy silt and clay to sand. The bedrock has an irregular surface and is described as a mixture of solid to shaley dolomite with some layers of sandstone.

On September 18, 1995 ECCI submitted a Remedial Action Plan (RAP) that determined In-situ and passive venting/soil vapor extraction with periodic groundwater extraction was the least costly method for remediation. On May 2, 1996, Mr. Zachow was notified that the proposed remedial action was rejected by the Department of Industry, Labor and Human Relations (DILHR). On May 13, 1996 ECCI proposed (to DILHR) another remedial alternative - removal of 5,000 tons of contaminated soil. Mr. Zachow stated that if the request was approved, the work would not begin until the UST's were removed - scheduled for 1998.

On September 23, 1997 Drake Environmental submitted an application to remove and landspread 5,000 tons of contaminated soil and groundwater. This action was approved by the DNR on December 12, 1997 but the total amount removed (and landspread) was 14,700 tons. The depth of the excavation extended to bedrock at between 18 to 18 feet below ground surface. When the soils were excavated, Drake requested and was granted permission (by DNR) to install a four inch slotted PVC pipe in the bottom of the excavation that was connected to two extraction wells (Sump-1 and Sump-2). To the best of our knowledge, the extraction system consists of a four inch, slotted PVC pipe placed directly on bedrock which was then covered with a geofabric material. Five feet of rock/gravel was placed over the geofabric material which was then covered with a geomembrane material. During the excavation of contaminated soils, Drake also removed over 103, 000 gallons of contaminated groundwater that was then treated and discharged to the Pensaukee River.

On July 21, 1998 Drake submitted a Soil Remediation Documentation Report indicating that free product was found in new monitoring well MW-11 in October 1998, documented the removal of 14,700 tons of contaminated soil. Six additional

monitoring wells were installed at the site; W-1, PZ-1A (replacement for PZ-1), W-11, W-12, W-13 and W-14.

On October 13, 1999 Drake informed DNR that two more private wells at 3124 Wiedenheft Road and 1325 Weidenheft Road had been contaminated. These wells are located approximately 330 and 450 feet respectively from the Bill's Oil Site. As far as we have determined, both wells were drilled to a depth of 40 to 60 feet below ground surface. Both wells were replaced by new potable wells in January 2000. Both new wells were drilled to an approximate depth of 182 feet below ground surface

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- ☒ Documented expansion of the plume margin.
- ☒ Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats..
- ☒ Contamination within bedrock or within 1 meter of bedrock.
- ☒ Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- ☐ Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

1. Install an active remediation system that will address all remaining contamination, both on and off site by reducing or eliminating contaminants leaching to the bedrock aquifer.
2. Install three bedrock piezometers in downgradient (to the east) locations from Bill's Oil. The locations of the piezometers shall be such that they will be of assistance in determining the direction of groundwater flow in the dolomite bedrock aquifer and shall be located so as to compliment the location of existing piezometer PZ-1A.
3. Sample all existing groundwater monitoring wells, all existing and new piezometers and seven private wells on a quarterly basis during the first year after an active remediation system has been installed. Sample the same monitoring wells and private wells semi-annually (spring and fall) thereafter. The Department will provide the names of the private wells to the successful bidder.
4. Prepare an annual report that reviews system operation, all existing and new groundwater data, bedrock potentiometric flow directions, evaluates natural attenuation parameters and summarizes all other on-site and off-site geological and hydrogeological conditions.
5. Submit quarterly results for system operation amounts, treatment results, water levels for all monitoring wells and analytical results from monitoring well and private well samples in tabular form for each quarter for the first year and semi-annually thereafter. Prepare analysis of monitoring results and recommendations semi-annually thereafter.
6. Operate the remediation system(s) until such time that sampling results indicate that a decreasing plume exists above bedrock and a stable or receding plume exists in the bedrock aquifer. Also, no measurable free product exists at any monitoring or remediation points.

7. Prepare a document with supporting calculations that estimates the time it will take to reach the end point, closure, of the project as stated in No. 6, above.

**B) Bidder's Strategy for Remedial Action**

- 1) Identify the remedial strategy for obtaining a closed remedial action status.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving the closed remedial action status identified above.
  - a) The detailed description may include, but is not limited to the following:
    - Technologies
    - Estimated years of operation
    - Estimated tons of soil
    - Approximate geometry/depth of excavation
    - Reporting details
    - Estimated years of monitoring
    - Frequency of sampling/# of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.
- 5) Specifically describe how you will address any direct contact hazards, if applicable.

### **SECTION 3 - Conditions of Bid:**

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost to a defined site closure or no further action required decision. The closure or no further action decision will be made by either the Department of Commerce or the Department of Natural Resources, depending on statutory site assignment. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to Comm 46, Comm 47, and NR 700.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to bring the site to a closed remedial action or no further action status will be determined.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be “non-successful.” Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory's bid is determined to be the successful, the signatory must, within 15 days of the Department's notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.
- That for a period of 90 days, starting with the Department's notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the PECFA program contact identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

#### **SECTION 4 - Closure Specifications:**

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

**Unrestricted Closure**  
**Closure with a NR 140 exemption**  
**Closure with groundwater use restriction\***  
**Closure with deed notice\***  
**Closure with deed restriction\***  
**Closure with NR 720.19 soil standards**  
**Performance based NR 720.19 closure**  
**Closure with site specific conditions**  
**Closure under NR 726.07**  
**Mass reduction**

\* **Note:** *PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.*

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be; **Not Applicable** . The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

### **Not Applicable**

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

### **SECTION 5 - Instructions to Bidders:**

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the program contact specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve the closed or no further remedial action status or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the program contact. If the program contact is not able to arrange site access, this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. The closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding interest and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1<sup>st</sup> Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).



14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the program contact. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

**BID RESPONSE**  
**(1<sup>st</sup> Page)**

**Department of Commerce PECFA Program**

**COMMERCE NUMBER: 54101-9758-85**

**BRRTS NUMBER: 03-43-001491**

Submit Bid To Diane Ploessl  
Department of Commerce PECFA Program  
201 W Washington Ave Madison WI 53703-2760 or  
P.O. Box 8044 Madison WI 53708-8044

Bidder Company: \_\_\_\_\_  
Bidder Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone ( ) - \_\_\_\_\_  
Number: \_\_\_\_\_  
Fax Number: ( ) - \_\_\_\_\_  
e-mail Address: \_\_\_\_\_

Bidder: (check one that applies):

_____	Professional Engineer	_____	License #
_____	Professional Geologist	_____	License #
_____	Hydrologist	_____	License #
_____	Soil Scientist	_____	License #

Seal

Signature: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Total Cost Bid \$ \_\_\_\_\_

(subpart of total  
Total Consulting Cost bid) \$ \_\_\_\_\_

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

**BID RESPONSE  
(2<sup>nd</sup> Page)**

**Department of Commerce PECFA Program**

**COMMERCE NUMBER: 54101-9758-85**

**BRRTS NUMBER: 03-43-001491**

Consulting Firm phone number ( ) \_\_\_\_-\_\_\_\_

This response must address all of the site specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.*